



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Drewe *et al.*

Appl. No.: 09/705,840

Filed: November 6, 2000

**For: Substituted-4H-Chromene and
Analogs as Activators of Caspases
and inducers of Apoptosis and the
Use Thereof**

Confirmation No.: 8076

Art Unit: 1625

Examiner: Robinson, Binta M.

Atty. Docket: 1735.0410002/RWE/CJW

Fourth Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is also provided.

The numbering on this Fourth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Third, Second and First Supplemental Information Disclosure Statements filed December 12, 2002, April 25, 2002 and November 5, 2001, respectively, in connection with the above-captioned application.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

U.S. Patent Application No. 10/146,138, Cai *et al.*, filed May 16, 2002

and submitted herewith as document AA2;

U.S. Patent Application No. 10/146,136, Cai *et al.*, filed May 16, 2002

and submitted herewith as document AB2; and

U.S. Patent Application No. 10/146,139, Cai *et al.*, filed May 16, 2002
and submitted herewith as document AS21.

The Examiner's attention is also directed to the prosecution from co-pending U.S. Patent Application No. 10/146,136, Cai *et al.*, filed May 16, 2002 and submitted herewith as document AB2. The submitted prosecution includes Office Communications and Applicant's amended claim sets submitted in response to the Office Communications. The prosecution is cited herein as documents AT21 through AT22.

The identification of these U.S. Patent Applications, and any corresponding prosecution, is not to be construed as a waiver of secrecy as to these applications, or their corresponding prosecution, now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications, the corresponding prosecution and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Fourth Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

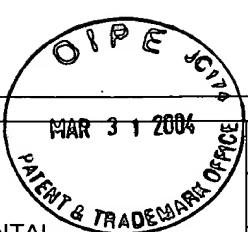


Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

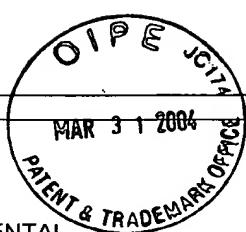
Date: March 31, 2004

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					ATTY. DOCKET NO. 1735.0410002/RWE/CJW	APPLICATION NO. 09/705,840		
					FIRST NAMED INVENTOR Drewe et al.			
					FILING DATE November 6, 2000	ART UNIT 1625		
U.S. PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE	
	AA2	2003/0065018 A1	04/03/2003	Cai et al.			05/16/2002	
	AB2	2003/0114485 A1	06/19/2003	Cai et al.			05/16/2002	
	AC2	6,160,010	12/12/2000	Uckun et al.			07/22/1999	
	AD2	6,221,900 B1	04/24/2001	Uckun et al.			10/04/1999	
	AE2	6,258,824 B1	07/10/2001	Yang			02/09/2000	
	AF2	6,294,575 B1	09/25/2001	Uckun et al.			10/16/2000	
	AG2	6,303,652 B1	10/16/2001	Uckun et al.			03/19/1999	
	AH2	6,365,626 B1	04/02/2002	Uckun et al.			12/07/2000	
	AI2	6,388,092 B2	05/14/2002	Yang			04/17/2001	
	AJ							
	AK							
FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
	AL						Yes No	
	AM						Yes No	
	AN						Yes No	
	AO						Yes No	
	AP2	WO 02/092076 A1	11/21/2002	WIPO			Yes No	
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)								
	AR	<u>19</u>	Elgamal, M.H.A., et al., "Synthesis of some novel nitrogenous furocoumarin derivatives," Chem. Abs., Accession No. 128:321530, American Chemical Society (April 1998)					
	AS	<u>19</u>	Tawada, H., et al., "Synthesis of 3-ureido derivatives of coumarin and 2-quinolone as potent acyl-CoA:cholesterol acyltransferase inhibitors," Chem. Abs., Accession No. 123:339669, 1 page, American Chemical Society (1995)					
	AT	<u>19</u>	Meguro, K., et al., "Tricyclic heterocyclic compounds, their production and use," Chem. Abs., Accession No. 117:69733, 2 pages, American Chemical Society (1992)					
EXAMINER					DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.								



FORM PTO-1449

FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 1735.0410002/RWE/CJW	APPLICATION NO. 09/705,840
FIRST NAMED INVENTOR Drewe et al.	
FILING DATE November 6, 2000	ART UNIT 1625

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	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL3	WO 02/092083 A1	11/21/2002	WIPO			Yes No
	AM3	WO 02/092594 A1	11/21/2002	WIPO			Yes No
	AN3	WO 03/096982 A2	11/27/2003	WIPO			Yes No
	AO3	WO 03/097806 A2	11/27/2003	WIPO			Yes No
	AP3	WO 99/54286 A2	10/28/1999	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>20</u>	Al-Mousawi, S.M., et al., "Synthesis of new condensed 2-amino-4H-pyran-3-carbonitriles and of 2-aminoquinoline-3-carbonitriles," <i>Chem. Abs.</i> , Accession No. 131:199593, 2 pages, American Chemical Society (June 1999)
AS	<u>20</u>	EI Aziz El-Taweel, M.A., et al., "Synthesis of 4H-naphtho[1,2-b]pyrans, benzo[h]coumarins, 4H-naphtho[2,1-b:6,5-b]dipyrans 4H-naphtho[1,2-b:3,4-b']dipyrans and pyridine derivatives," <i>Chem. Abs.</i> , Accession No. 125:114568, 2 pages, American Chemical Society (1995)
AT	<u>20</u>	Woods, L.L., and Sterling, J., "New synthesis of naphtho[1,2-b]pyran-2-ones," <i>Chem. Abs.</i> , Accession No. 60:45584, 1 page, American Chemical Society (1964)

EXAMINER

DATE CONSIDERED

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>21</u>	Radwan, A.M., et al., "A new route for the synthesis of 1,2,4-triazole and 3,4-disubstituted cinnoline derivatives," <i>Chem. Abs.</i> , Accession No. 124:117193, 1 page, American Chemical Society (1995)
AS	<u>21</u>	Pending Non-Provisional United States Patent Application No. 10/146,139, Cai et al., filed May 16, 2002 (NOT PUBLISHED)
AT	<u>21</u>	Seaman, D.M., Office Communication for United States Patent Application No. 10/146,136, 12 pages, United States Patent and Trademark Office (mailed May 7, 2003)

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<u>FOURTH SUPPLEMENTAL & TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT</u>		FIRST NAMED INVENTOR Drewe et al.	
		FILING DATE November 6, 2000	ART UNIT 1625

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>22</u>	Esmond, R.W., Applicants' Amendments to the Claims for United States Patent Application No. 10/146,136, 11 pages, "Amendment And Reply Under 37 C.F.R. § 1.111," (filed September 8, 2003)
AS	<u>22</u>	Seaman, D.M., Office Communication for United States Patent Application No. 10/146,136, 17 pages, United States Patent and Trademark Office (mailed November 7, 2003)
AT	<u>22</u>	Esmond, R.W., Applicants' Amendments to the Claims for United States Patent Application No. 10/146,136, 10 pages, "Amendment And Reply Under 37 C.F.R. § 1.116," (filed February 4, 2004)

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